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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 **-oOo-**

9 UNITED STATES OF AMERICA,)
10) 2:13-mj-000776-VCF
11 Plaintiff,)
12)
13 vs.) **Stipulation to Continue Preliminary**
14) **Hearing (Ninth Request)**
15)
16 ROBERT WOLFE,)
17)
18 Defendant.)
19)
20)
21)
22)
23)
24)
25)
26)

15 **IT IS HEREBY STIPULATED AND AGREED**, by and between Daniel G.
16 Bogden, United States Attorney, and Cristina D. Silva and Crane M. Pomerantz, Assistant United
17 States Attorneys, counsel for the United States of America, and Louis Schneider, Esq., counsel for
18 defendant Robert Wolfe, that the preliminary hearing date in the above-captioned matter, currently
19 scheduled for January 20, 2014, at 4:00 pm, be vacated and continued for thirty (30) days, to a
20 date and time to be set by this Honorable Court.

21
22 This stipulation is entered into for the following reasons:

23 1. The parties have met, and, on several occasions, conferred regarding this
24 case. The parties believe they have successfully negotiated this case. Defense counsel would like
25 time to complete his review of discovery and confer with his client to finalize a plea. By allowing
26 more time, the Defendant may enter a plea, which will alleviate the need for an indictment to be

1 filed, or for the case to proceed to trial.
2

3 2. The parties agree to the continuance.
4

5 3. The defendant is not incarcerated and does not object to the continuance.
6

7 4. Additionally, denial of this request for continuance could result in a
8 miscarriage of justice.
9

10 5. The additional time requested herein is not sought for purposes of delay, but
11 to allow for the case be resolved via a pre-indictment plea.
12

13 6. The additional time requested by this stipulation, is allowed, with the
14 defendant's consent under the Federal Rules of Procedure 5.1(d).
15

16 DATED this 20th day of January, 2015.
17

18 Respectfully submitted,
19 DANIEL G. BOGDEN
20 United States Attorney
21

22 //s//
23

24 LOUIS SCHNEIDER, ESQ.
25 Counsel for Defendant -
26 ROBERT WOLFE

27 CRANE M. POMERANTZ
28 Assistant United States Attorney
29

30 //s//
31

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

-oOo-

UNITED STATES OF AMERICA,)
Plaintiff,) 2:13-mj-00776-VCF
vs.)
ROBERT WOLFE,)
Defendant.)

)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties have met, and, on several occasions, conferred regarding this case. The parties believe they have successfully negotiated this case. Defense counsel would like time to complete his review of discovery and confer with his client. By allowing more time, the Defendant may enter a plea, which will alleviate the need for an indictment to be filed, or for the case to proceed to trial.

2. The parties agree to the continuance.

3. The defendant is not incarcerated and does not object to the continuance.

4. Additionally, denial of this request for continuance could result in a

1 miscarriage of justice.

2 5. The additional time requested herein is not sought for purposes of delay, but
3 to allow for the case be resolved via a pre-indictment plea.

4 6. The additional time requested by this stipulation, is allowed, with the
5 defendant's consent under the Federal Rules of Procedure 5.1(d).

6 7. This is the ninth request for a continuance of the preliminary hearing.

7 For all of the above-stated reasons, the ends of justice would best be served by a
8 continuance of the preliminary hearing date.

9 **CONCLUSIONS OF LAW**

10 The ends of justice served by granting said continuance outweigh the best interest
11 of the public and the defendant, since the failure to grant said continuance would be likely to result
12 in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity
13 within which to be able to effectively and thoroughly prepare for the preliminary hearing, and
14 possibly resolve the case prior to the preliminary hearing or an indictment, taking into account the
15 exercise of due diligence.

16 The continuance sought herein is allowed, with the defendant's consent, pursuant to
17 Federal Rules of Procedure 5.1(d).

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ORDER

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for January, 2014, at the hour of 4:00 pm, be vacated and continued to February 20, 2015 at the hour of 4:00 pm in courtroom 3D.

DATED 20th day of January, 2015.

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THE HONORABLE CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE